

Amendments to the Claims

Claim 1 (Currently amended): A method of using a negotiable instrument with ~~identity theft~~ protection to avoid acceptance of a fraudulent check at the point and time of transaction between a merchant and a check writer, the method comprising:

~~accepting-receiving~~ a negotiable instrument having a pre-printed bar code from a check writer, a photo identification, and a pre-printed signature;

reading the bar code on the negotiable instrument at a point and time of the transaction between the merchant and the check writer and deriving personal identification information about the writer from the bar code that would create an identity theft concern;

comparing the personal identification information from the bar code with information provided by the check writer at the point and time of the transaction between the merchant and the check writer;

comparing the photo identification upon the negotiable instrument to the writer at the point and time of the transaction between the merchant and the check writer; and

comparing the pre-printed signature upon the negotiable instrument to a signature placed by the writer upon the negotiable instrument at the point and time of the transaction between the merchant and the check writer[[.]];

determining by the merchant whether to accept or refuse the check at the point and time of transaction based on the steps of comparing the personal identification information from the bar code with the information provided by the check writer, comparing the photo identification upon the negotiable instrument to the writer, and comparing the pre-printed signature upon the negotiable instrument to the signature placed by the writer upon the negotiable instrument;

if the merchant determines to accept the check, processing the check to complete the transaction.

Claim 2 (Original): The method of claim 1 wherein the personal information is from the group consisting of: home address, pin number, social security number, telephone number, drivers license number, password, digital photograph, and signature.

Claim 3 (Original): The method of claim 1 wherein the personal information from the bar code comprises a home address and telephone number.

Claim 4 (Original): The method of claim 3 wherein the personal identification information from the bar code further comprises a digital photograph of the writer.

Claim 5 (Original): The method of claim 4 wherein the personal identification information from the bar code further comprises a digital image of the writer's signature.

Claim 6 (Currently amended): ~~A negotiable instrument with identity theft protection system for use at a point and time of a transaction to protect against fraudulent check transactions associated with identity theft,~~ comprising:

a bank check[[:]], comprising:

- _____ (a) a visible photo of a writer pre-printed upon the check;
- _____ (b) a signature of the writer pre-printed upon the bank check for comparison ~~by~~ with a signature of the writer received at a point and time of transaction; and

(c) a pre-printed bar code hiding personal information about the writer ~~that would create an identity theft concern;~~
a bar code scanner for scanning the pre-printed bar code on the check at the point and time of transaction;
a display adapted for displaying the personal information about the writer of the point and time of transaction to aid a merchant in determining whether the writer of the check corresponds with a person identified by the check.

Claim 7 (Previously presented): The negotiable instrument of claim 6 wherein the personal information is from the group consisting of a home address, pin number, social security number, telephone number, drivers license number, password, digital photograph, and signature.

Claim 8 (Previously presented): The negotiable instrument of claim 6 wherein the personal information in the pre-printed bar code comprises a home address and telephone number.

Claim 9 (Previously presented): The negotiable instrument of claim 8 wherein the personal information in the pre-printed bar code further comprises a digital photograph of the writer.

Claim 10 (Previously presented): The negotiable instrument of claim 9 wherein the personal information in the pre-printed bar code further comprises a digital image of the writer's signature.

Claim 11 (Previously presented): The negotiable instrument of claim 6 wherein the bar code is placed adjacent the visible photo of the writer.

Claims 12-15 (Cancelled).

Claim 16 (New): A method for assisting a merchant at a point and time of transaction to determine whether the identity of the writer of a check who is present at the point and time of the transaction matches the identity of an account holder associated with the check to thereby protect the merchant from fraud committed through identity theft, the method comprising:

- providing to the account holder a bank check having a bar code encoding personal identification information about the account holder;
- scanning the bar code on the check by the merchant at the point and time of transaction;
- displaying on a display the personal identification information from the bar code of the check at the point and time of transaction;
- verifying by the merchant at the point and time of transaction that the identity of the writer of the check is consistent with the personal identification information;
- accepting or refusing the check at the point and time of transaction;
- if the check is accepted, processing the check to thereby complete the transaction.